

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PERRY GRAYS,

Plaintiff,

vs.

CITY OF LONG BEACH,
SALVATORE ALATORRE, ALVINO
HERRERA, and GEORGE EVANS,

Defendants.

Case No. CV 11-07588 GAF

JUDGMENT

This action came on regularly for trial on October 29, 2013 in Courtroom 740 of the United States District Court, Central District of California, Western Division, Honorable Gary A. Fees, presiding. The Plaintiff in this Case No. CV 11-07588 GAF, Perry Grays, was represented by Dale K. Galipo and Kaveh Navab of the Law Offices of Dale K. Galipo. Defendants Salvatore Alatorre, Alvino Herrera, and the City of Long Beach were represented by Howard D. Russell of the Long Beach City Attorney's office.

A jury of eight persons was regularly empanelled and sworn. Witnesses were sworn and testified. After hearing the evidence and arguments of counsel, the jury was duly instructed by the Court and the Cause was submitted to the jury. By law, the City of Long Beach is vicariously liable under Plaintiff's state law

claims. The jury deliberated and thereafter returned into Court with a verdict as follows:

FALSE ARREST

1. Did any defendant officer arrest Perry Grays without probable cause in violation of his rights under the Fourth Amendment of the United States Constitution?

Salvadore Alatorre _____ YES x NO

Alvino Herrera x YES _____ NO

EXCESSIVE FORCE

2. Did any defendant officer use excessive force against Perry Grays in violation of his rights under the Fourth Amendment of the United States Constitution?

Salvadore Alatorre x YES _____ NO

Alvino Herrera _____ YES x NO

George Evans _____ YES x NO

BATTERY BY A POLICE OFFICER

3. Did any defendant officers use unreasonable force in placing Perry Grays under arrest?

Salvadore Alatorre _____ YES x NO

Alvino Herrera _____ YES x NO

George Evans x YES _____ NO

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4. If you answered yes for any of defendant officer(s) for Questions 1, 2, and/or 3 did Perry Grays suffer injury or damages as a result?

 x YES NO

5. What damages did Perry Grays suffer?

Past Physical, Mental and Emotional Pain and Suffering \$ 45,000 .

Future Physical, Mental and Emotional Pain and Suffering \$ 80,000 .

Medical Expenses \$ 10,000 .

Lost Earning \$ 5,000 .

6. If you answered yes as to any defendant for Questions 1 or 2 only, answer the following additional question: with respect to the conduct that was the basis for your finding in favor of Perry Grays, did the defendant officer engage in that conduct with malice, oppression, or in reckless disregard of Perry Grays' rights?

Salvadore Alatorre YES x NO

Alvino Herrera YES x NO

George Evans YES x NO

NOW THEREFORE IT IS ORDERED, ADJUDGED AND DECREED that final judgment in this action is entered as follows:

1. Judgment in the sum of \$140,000 is entered against, Salvadore Alatorre, Alvino Herrera, and George Evans in favor of Perry Grays.

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1 2. Plaintiff may also recover costs and attorney's fees pursuant to 42
2 U.S.C. § 1988 and interest on the judgment as the prevailing party in
3 amounts to be determined.



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6 DATED: November 8, 2013

Hon. Gary A. Fees
United States District Judge

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